United Nations E/2004/L.34

Economic and Social Council

Distr.: Limited
20 July 2004

Original: English

Substantive session of 2004
New York, 28 June-23 July 2004
Agenda item 14 (g)
Social and human rights questions: human rights

Programme budget implications of resolutions and decisions contained in the report of the Commission on Human Rights at its sixtieth session

Statement submitted by the Secretary-General in accordance with rule 31 of the rules of procedure of the Economic and Social Council

I. Introduction

1. At its sixtieth session, the Commission on Human Rights adopted a number of resolutions and decisions entailing programme budget implications. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the Commission was informed of these programme budget implications through oral statements.

2. With regard to paragraph 7 below, on Commission resolution 2004/5 on the use of mercenaries, and paragraph 13 below on resolution 2004/7 on the right to development, the Secretariat, upon further review, has concluded that the related requirements of $55,000 and $97,600, respectively, would need to be met through additional appropriation by the General Assembly.

II. Resolution 2004/5 on the use of mercenaries as a means of violating human rights and impeding the exercise of the rights of self-determination

3. Under operative paragraph 2 of resolution 2004/5, the Commission would decide to renew the mandate of the Special Rapporteur on the question of the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination for a period of three years.

04-43306 (E) 210704

BEST COPY AVAILABLE

4. Under operative paragraph 16 of the resolution, the Commission would request the Office of the United Nations High Commissioner for Human Rights to convene a third meeting of experts on traditional and new forms of mercenary activities as a means of violating human rights and impeding the exercise of the right of peoples to self-determination.

5. Total full cost of the activities envisaged under operative paragraph 2, if adopted, would amount to $49,100 per year under section 24, Human rights, of the budget for the biennium 2004-2005.

6. The mandate of the Special Rapporteur falls under the category of activities considered to be of a perennial nature. Provisions for activities of this nature have already been included in the programme budget for the current biennium and would be included in the proposed programme budget for the biennium 2006-2007. Hence, no additional appropriation would be required as a result of the adoption of Commission resolution 2004/5.

7. Activities envisaged under operative paragraph 16 of resolution 2004/5 would require provisions for travel and subsistence of the experts to attend the third meeting. Total full costs of such travel and subsistence would amount to $55,000 under section 24, Human rights, of the budget for the biennium 2004-2005. It is not possible to determine at this stage whether the above costs would be covered from available resources. The Secretariat is currently reviewing the situation and will bring the outcome of this review, including any additional requirements, to the attention of the Economic and Social Council when it considers the report of the Commission.

8. The holding of the meeting of experts, as requested in paragraph 16, would further require provisions for conference services in 2004 in the total amount of $507,600 as follows:

	United States dollars
Section 2. General Assembly affairs and conference services	504 600
Section 29E. Administration, Geneva	3 000
Total	**507 600**

9. No provisions have been made under the programme budget for the biennium 2004-2005 for the conference services requirements associated with an additional meeting. Should the draft resolution be adopted, it will not be possible to absorb the additional conference servicing requirements as detailed in paragraph 8 above. These requirements would need to be met through additional appropriations by the General Assembly.

III. Resolution 2004/7 on the right to development

10. Under operative paragraph 9 of Commission resolution 2004/7, the Commission would decide to renew the mandate of the Working Group on the Right to Development for one year and to convene its sixth session before the sixty-first session of the Commission on Human Rights for a period of 10 working days. Of the 10 working days, 5 days would be allocated for the meetings of the high-level task

force established within the framework of the Working Group; the Working Group would meet subsequently for a period of 5 working days to consider the findings and recommendations of the task force and further initiatives in accordance with its mandate.

11. The 5-day meeting of the task force and the 5-day session of the Working Group, as proposed in resolution 2004/7, would require provisions for conference servicing as follows:

Meeting of the High-level task force within the framework of the Working Group on the Right to Development (5 days)

	United States dollars
Section 2. General Assembly affairs and conference services	218 100
Section 29E. Administration, Geneva	2 400
Total	**220 500**

Working Group on the Right to Development (5 days)

	United States dollars
Section 2. General Assembly affairs and conference services	120 500
Section 29E. Administration, Geneva	2 400
Total	**122 900**

12. The total full costs of conference servicing would amount to $338,600 under section 2, General Assembly affairs and conference services, and $4,800 under section 29E, Administration, Geneva, during the biennium 2004-2005. Provisions related to the extension of the mandate of the Working Group for 10 working days have been included under section 2, and section 29E of the programme budget for the biennium 2004-2005. Since the combined duration of the meeting of the task force and the session of the Working Group is also 10 days, the adoption of the draft resolution would not entail additional conference servicing requirements.

13. Activities envisaged under operative paragraph 9 of the resolution in connection with the meeting of the task force would require provisions for travel, subsistence and commissioning of three expert papers. Total costs of such requirements amount to $97,600 under section 24, Human rights, during the biennium 2004-2005. No relevant provisions have been made under the programme budget for the biennium 2004-2005. It is not possible to determine at this stage whether the above costs would be covered from the available resources. The Secretariat is currently reviewing the situation and will bring the outcome of this review, including any additional requirements, to the attention of the Economic and Social Council when it considers the report of the Commission.

IV. Resolution 2004/34 on the right to restitution, compensation and rehabilitation for victims of grave violations of human rights and fundamental freedoms

14. Under operative paragraph 3 of Commission resolution 2004/34, the Commission would request the Chairperson-Rapporteur of the consultative meetings, in consultation with the independent experts, Mr. Theo van Boven and Mr. Cherif Bassiouni, to prepare a revised version of the "Basic principles and guidelines on the right to a remedy and reparation for victims of violations of international human rights and humanitarian law".

15. Under operative paragraph 4 of resolution 2004/34, the Commission would request the United Nations High Commissioner for Human Rights to hold, with the cooperation of interested Governments, a third consultative meeting for all interested Member States, intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council, using available resources, with a view to finalizing the "Basic principles and guidelines on the right to a remedy and reparation for victims of violations of international human rights and humanitarian law" and if appropriate, to consider all options for the adoption of the principles and guidelines.

16. Total costs of the activities envisaged under operative paragraph 3 would amount to $74,400 during the biennium 2004-2005 under section 24, Human rights.

17. The mandates of the special rapporteurs and independent experts fall under the category of activities considered to be of a perennial nature. Provisions have already been included in the programme budget for the biennium 2004-2005 for activities of this nature. Hence, no additional appropriation would be required as a result of the adoption of the draft resolution.

18. The holding of a third consultative meeting would require provisions for conference services in 2004 in the total amount of $55,800, as follows:

	United States dollars
Section 2. General Assembly affairs and conference services	54 400
Section 29E. Administration, Geneva	1 400
Total	**55 800**

19. No provisions have been made under the programme budget for the biennium 2004-2005 for the conference services requirements associated with an additional meeting. Should resolution 2004/34 be adopted by the Council, it will not be possible to absorb the additional conference servicing requirements as detailed in paragraph 18 above. These requirements would need to be met through additional appropriations by the General Assembly.

20. In connection with reference to "using available resources" in operative paragraph 4 of the resolution, the attention of the Commission is drawn to the provisions of General Assembly resolution 45/248 B, section VI, in which the General Assembly reaffirmed that administrative and budgetary matters should be

dealt with by the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions.

V. Decision 2004/127 on the organization of work of the sixty-first session of the Commission

21. Under the terms of Commission decision 2004/127, the Commission would recommend to the Economic and Social Council that it authorize six fully serviced additional meetings, including summary records, in accordance with rules 29 and 31 of the rules of procedure of the functional commissions of the Council, for the Commission's sixty-first session.

22. Total full costs of conference servicing envisaged under this draft decision, if adopted, would amount to $160,700 in 2005, broken down as follows:

	United States dollars
Section 2. General Assembly affairs and conference services	152 900
Section 29E. Administration, Geneva	7 800
Total	**160 700**

23. No provisions have been included under the proposed programme budget for the biennium 2004-2005 for such additional conference services. Should the draft decision be adopted, it will not be possible to absorb the additional conference servicing requirements as detailed in paragraph 22 above. These requirements would need to be met through additional appropriations by the General Assembly.